

**APPENDIX A**  
**SUBTITLE D COMPLIANCE CHECKLIST**

# CALIFORNIA WATER RESOURCES CONTROL BOARD

## SUBTITLE-D COMPLIANCE CHECKLIST

Note: This checklist is designed to test a municipal solid waste (MSW) landfill's compliance with the federal MSW regulations of 40CFR258. Criteria include: location restrictions, facility design, and operating criteria, ground water monitoring requirements, corrective action requirements, financial assurance requirements, and closure and post-closure care requirements. Requirements for "new" landfills and "lateral expansions" (for both terms, the Unit or portion thereof first accepted waste after 10/9/91) and "existing" units (portions already covered by waste as of 10/9/91) differ. For example, existing units (or portions) are not required to remove wastes to install liners. The checklist is not intended to assess compliance with other Federal and State regulations including Division 2 of Title 27 of the California Code of Regulations, governing discharges of solid waste to land, or with State Water Resources Control Board Resolution No. 93-62.

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# INSTRUCTIONS FOR COMPLETING SUBTITLE D COMPLIANCE CHECKLIST

## General Instructions

Complete a Checklist for each landfill subject to the federal MSW landfill regulations (40CFR Part 258). At facilities with several landfills, fill out a Checklist for each landfill; Questions that pertain to all landfills at the facility should be answered only once.

## Detailed Instructions

This packet consists of three spreadsheets: a Subtitle D Compliance Checklist; a Landfill Synopsis spreadsheet; and a one-line Regional Board Office spreadsheet (the one line pertains to the landfill in question).

The Subtitle D Compliance Checklist contains four columns titled 1) QUESTION, 2) CITATION, 3) DECISION POINT, and 4) COMPLIANCE. The first column states a question closely paraphrasing language contained in the federal regulations. The second column identifies the location in the Federal regulations from which the question has been based. The third and fourth columns contain checkboxes but with different results:

DECISION POINT This column contains check boxes if the accompanying question involves a “decision point.” In other words, a “Yes” or “No” does not necessarily imply compliance or noncompliance. A question which has checkboxes in this column is usually followed by additional question(s) which ultimately end up in the Compliance column. Occasionally, the “decision point” answer serves to determine whether you should skip forward to a different portion of the checklist.

COMPLIANCE This column will determine whether or not the discharger has violated the regulation paraphrased in the accompanying question SINCE THE LAST TIME THE CHECKLIST WAS FILLED OUT, even if the discharger is again (currently) in compliance. The right-most available answer (usually a “No”) indicates that the discharger is, or has been, out of compliance with the Federal regulations.

Note that the on-screen checklist shows all the answers given for the previous update of the checklist.

**IMPORTANT: For most checklist items, you need only change the answers for those questions for which there has been a change of compliance status since the prior checklist was done for that landfill. Note, however, that you must always fill in your initials and the current date, at the start of the checklist (just before question A.1), before beginning work on the spreadsheet revision.**

## Determination of compliance/non-compliance

If the right-most checkbox in the COMPLIANCE column is checked, the MSWLF is either currently out of compliance for the Subtitle D regulation displayed in the CITATION column or has been out of compliance at some time since the checklist was last filled out.

## **Reporting of Findings**

After going through the checklist and making any changes needed, go to the end of the checklist and you'll find a landfill synopsis spreadsheet that lists each compliance status change in numerical order. The synopsis sheet will also list any violations noted on the prior checklist that remain unresolved.

For each line-item on the landfill compliance summary spreadsheet, note down the action taken (or to be taken) and the date of issuance (e.g., C&A planned for 20/2001) in the **Compliance Measures** column, then fill in the date by which the discharger must carry out the fix in the **Compliance Target Date** column. If desired, included a short explanatory note in the last column. Take the same approach for any violations carried over from the prior checklist.

For items that are on the synopsis sheet because they have come into compliance for a violation noted on the prior checklist, the **Compliance Measures** column will contain a description of the compliance measure specified on the prior checklist. In this case, make any needed changes then fill in the date when the discharger came into compliance in the **Compliance Target Date** column.

Upon completing the landfill summary sheet, note that the very last spreadsheet is a Regional Board Office synopsis for that landfill. If the landfill is **CURRENTLY** in compliance (e.g., there may have been problems since the last checklist, but these are now all resolved), then write "Yes" in the **Compliance?** column; otherwise insert a "No." As long as the discharger has not initiated the fix, as of the date you are filling out the checklist, the answer in the **Compliance?** column is "No," even if you have already issued the compliance measure instrument (e.g., letter or C&A). Provide a brief synopsis for any remaining out-of-compliance items in the **Comments** column.

Lastly, click on the "Send" button at the very end of the checklist to submit the updates to the Division of Clean Water Programs.



# BEGIN HERE:

## Subpart A-General Subtitle D Applicability

Your Initials: JRB/SB Current Date (format = 10/25/2001): 05/30/03 Region (e.g., R5F): R9

LF's Name: Proposed Gregory Canyon Landfill WDS ID#: \_\_\_\_\_

*Provides definitions necessary for proper interpretation of new Subtitle D and identifies other Federal laws with which owners/operators (dischargers) of MSW landfills must comply.*

### A.1 Determine the landfill's status with respect to:

#### a. FEDERAL DEADLINE: (Check one of three.)

- **Very Small Rural Landfill** is an MSW landfill which meets conditions in Section 258.1(f)(1) of Subtitle D. The federal deadline for a Very Small Rural Landfill is **October 9, 1997** [40CFR258.1(e)(4)];
- **Small Landfill** is an MSW landfill which accepts less than 100 tons per day [258.1(e)(2)] and does not qualify as a very small rural landfill. The federal deadline for a Small Landfill is **April 9, 1994** [40CFR258.1(e)(2)]; or
- X **Regular Landfill** is an MSW landfill which accepts more than 100 tons per day. The federal deadline for a Regular Landfill is **October 9, 1993** [40CFR258.1(e)(1)]; and

#### b. WASTE FOOTPRINT: (Check all applicable)

- **Existing MSW landfill** is the portion of an MSW landfill which has accepted waste before its federal deadline. This is also known as the landfills **Existing Footprint**.
- **Federal lateral expansion** is that portion of an MSW landfill which accepted waste for the first time after the landfills applicable federal deadline.
- X **New MSW landfill** is an MSW landfill which has accepted municipal solid waste only after its applicable federal deadline.

This is NOT the start! Please answer question A.1 on prior page.

QUESTION	CITATION	DECISION POINT	COMPLIANCE	JTD PAGES
<p>A.2 Has the MSWLF ceased receiving waste on or before October 9, 1991? <i>[If "Yes," the MSWLF is not subject to Subtitle D. Do not continue with this checklist.]</i></p>	258.1(c)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		New Facility
<p>A.3 Has the MSWLF received waste after October 9, 1991, but stopped receiving waste before its "federal deadline"? <i>[If "Yes," the MSWLF is exempt from all Subtitle D requirements except the final cover requirement specified in 258.60(a), but ONLY IF they complete the final cover installation no later than one year following the MSWLF's respective federal deadline. In this case, do only Subpart A and question F.1. Dischargers that failed to complete cover installation within this time are subject to all parts of Subtitle D (answer Subpart A through G questions).]</i></p>	258.1(d)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
<ul style="list-style-type: none"> <li>A.4 Has the RWQCB determined that this landfill qualifies (or does the Unit continue to qualify) as a very small rural landfill (VSRLF) because it meets ALL the requirements of 258.1(f), based upon a demonstration by the discharger?</li> </ul> <p><i>[NOTE: If "Yes," be sure that the official Operating Record includes a copy of this demonstration [258.1(f)(2)]. Qualifying VSRLFs are exempt from the federal Subpart D (design) &amp; E (monitoring) requirements. However, if the discharger's monitoring under Title 27 later shows the Unit is undergoing a release to ground water, then the exemption becomes void and the discharger must, from that time forward, comply with subparts D and E [see 258.1(f)(3)].</i></p>	258.1(f)(1)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		

**Subpart B—Location Restrictions**

*Establishes location restrictions for MSWLFs including: Floodplain Protection, Wetland Protection, Fault Area Hazard, Seismic Impact Zones Hazards, and Unstable Area Hazard. Subpart B also describes requirements for Closure of Existing Units that cannot comply with restrictions for Floodplain Protection, or Unstable Areas. The discharger must demonstrate that all location restrictions related to water quality are met and must notify the RWQCB and put copies of any demonstrations in the operating record.*

QUESTION	CITATION	DECISION POINT	COMPLIANCE	JTD PAGES
<p>B.1 Is the MSWLF located in a 100-year floodplain? (If "Yes," answer the next three questions.)</p> <p>Has the discharger demonstrated that the MSWLF will not</p> <ul style="list-style-type: none"> <li>• restrict the flow of the 100-year flood?</li> <li>• reduce the temporary water storage capacity of the floodplain?</li> <li>• result in washout of solid waste so as to pose a hazard to water quality?</li> </ul> <p><i>NOTE: If the Unit is a federal "existing MSWLF Unit" and has no federal lateral expansion, skip to B.5.</i></p>	<p>258.11</p> <p>258.11(a)</p> <p>258.11(a)</p> <p>258.11(a)</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	<p>Section D. 2.3 Figure 30B</p>
<p>B.2 <u>New or lateral expansion only:</u> Is MSWLF located in wetlands? (If "Yes," answer the rest of the questions in this box.)</p> <p>Has the discharger demonstrated to the RWQCB that a practicable alternative is not available?</p> <p>Has the discharger demonstrated that the construction and operation of the MSWLF will not:</p> <ul style="list-style-type: none"> <li>• Cause or contribute to violations of any applicable State water quality standard?</li> <li>• Violate any applicable toxic effluent standard or prohibition under Section 307 of the Clean Water Act?</li> <li>• Jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of a critical habitat, protected under the Endangered Species Act of 1973?</li> <li>• Violate any requirement under the Marine Protection, Research, and Sanctuaries Act of 1972 for the protection of a marine sanctuary?</li> </ul> <p>Has the discharger demonstrated that the MSWLF will not cause or contribute to significant degradation of wetlands, including a consideration of:</p> <ul style="list-style-type: none"> <li>• The erosion, stability, and migration potential of native wetlands soil, muds, and deposits used to support the MSWLF unit?</li> </ul>	<p>258.12(a)</p> <p>258.12(a)(1)</p> <p>258.12(a)(2)(i)</p> <p>258.12(a)(2)(ii)</p> <p>258.12(a)(2)(iii)</p> <p>258.12(a)(2)(iv)</p> <p>258.12(a)(3)</p> <p>258.12(a)(3)(i)</p> <p>258.12(a)(3)(ii)</p> <p>258.12(a)(3)(iii)</p> <p>258.12(a)(3)(iv)</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	

<ul style="list-style-type: none"> <li>• The erosion, stability, and migration potential of dredged and fill materials used to support the MSWLF unit?</li> <li>• The volume and chemical nature of the waste managed in the MSWLF unit?</li> <li>• Impacts on fish, wildlife, and other aquatic resources and their habitat from the release of the solid waste?</li> <li>• The potential effects of catastrophic release of waste to the wetland and the resulting impacts on the environment?</li> <li>• Any additional factors, as necessary, to demonstrate that ecological resources in the wetland are sufficiently protected?</li> </ul>	<p>258.12(a)(3)(v) 258.12(a)(3)(vi)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Section D.4.4; Appendix C, pgs. 1-13, 1-14</p>
<p>B.3 <u>New or lateral expansion only</u>: Is MSWLF located within 200 feet of a fault that has had displacement in Holocene time? (<i>If "Yes," answer the next question.</i>) Has the discharger demonstrated to the RWQCB that an alternative setback distance of less than 200 feet will prevent damage to the structural integrity of the MSWLF and will be protective of water quality?</p>	<p>258.13(a)</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>	<p>Section D.4.6; Appendix C, pgs.3-6 thru 3-10.</p>
<p>B.4 <u>New or lateral expansion only</u>: Has the discharger demonstrated to the RWQCB that all containment structures, including liners, leachate collection systems, and surface water control systems, are designed to resist the maximum horizontal acceleration in lithified earth material for the site?</p>	<p>258.14(a)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix C, pgs 1-1 thru 1-2; pg. 1-7; pgs 1-14 thru 1-15</p>
<p>B.5 <u>Any MSW landfill</u>: Is the MSWLF located in an unstable area (e.g, it is sitting on a landfill)? (<i>If "Yes," answer the next question.</i>) Has the discharger demonstrated to the RWQCB that engineering measures have been incorporated into the MSWLF's unit's design to ensure that the integrity of the structural components of the MSWLF will not be disrupted? (<i>If "Yes," answer the next three questions.</i>) Did the discharger consider the following, at a minimum, when determining whether the area is unstable:</p> <ul style="list-style-type: none"> <li>• On-site or local soil conditions that may result in significant structural settling?</li> <li>• On-site or local geologic or geomorphologic features?</li> <li>• On-site or local human-made features or events (both surface and subsurface)?</li> </ul>	<p>258.15(a)(1) 258.15(a)(2) 258.15(a)(3)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix C, pgs 1-1 thru 1-2; pg. 1-7; pgs 1-14 thru 1-15</p>

<p>B.6 <i>If the discharger cannot make the demonstration specified in §258.11(a)[floodplains] or §258.15(a)[unstable areas], answer the next question.</i>  Did the MSWLF close by October 9, 1996? (If "No," answer the next question.)  Did the RWQCB extend the deadline for closing no longer than 2 years past October 9, 1996, upon the discharger's demonstrating that 1) there is no available alternative disposal capacity, and 2) there is no immediate threat to water quality?</p>	<p>258.16(a) 258.16(b)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>New Facility</p>
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**Subpart C—Operating Criteria**

*Describes operating criteria requirements including: Alternative Cover Materials, Run-on/Run-off Control Systems, Surface Water Requirements, Liquids Restrictions, and Recordkeeping Requirements.*

QUESTION	CITATION	DECISION POINT	COMPLIANCE	JTD PAGES
<p><b>NOTE: For closed Units, answer "Yes" and answer only C.4, C.5, and C.8</b></p> <p>C.1 Is the discharger using alternative daily cover? <i>(If "Yes," answer the next question.)</i>                      Has the RWQCB checked that any ADC material that remains in the landfill is material that the landfill could accept as waste? <i>[Note: the CIWMB implements most of the ADC program, but the RWQCB is responsible for making this check to be sure the o/o is not in violation.]</i></p>	258.21(b)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	Section B.4.4.5.1
<p>C.2 Has the discharger constructed and maintained a run-on control system to prevent flow onto the active portion of the landfill during the peak discharge from a 25-year storm?</p>	258.25(a)(1)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Sections B.5.4 and C.2.8
<p>C.3 Has the discharger constructed and maintained a run-off control system to collect and control at least the water volume resulting from a 24-hour, 25-year storm?</p>	258.25(a)(2)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Sections B.5.4 and C.2.8
<p>C.4 Has the MSWLF caused a discharge of pollutants into <b>SURFACE</b> waters of the United States, including wetlands, that violates any requirements of the Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, pursuant to Section 402?</p>	258.27(a)		<input checked="" type="checkbox"/> N <input type="checkbox"/> Y	
<p>C.5 Has the MSWLF caused the discharge of a nonpoint source of pollution to waters of the United States, including wetlands, that violates any requirement of an area-wide or State-wide water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act?</p>	258.27(b)		<input checked="" type="checkbox"/> N <input type="checkbox"/> Y	
<p>C.6 Has bulk or noncontainerized liquid waste (other than household waste excepting septic waste) been placed in the MSWLF unit? <i>(If "Yes," answer the next question.)</i>                      Is the liquid waste leachate or gas condensate? <i>(If "Yes," answer the next two questions.)</i>                      Was the leachate or gas condensate derived from the MSWLF unit?                      Is the MSWLF equipped with a composite liner and leachate collection system?</p>	258.28(a)(1) 258.28(a)(2)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N	

<p>C.7 Are containers holding liquid waste placed in the MSWLF unit? (If "Yes," answer the next three questions.)</p> <p>Is the container small and similar in size to that normally found in household waste?</p> <p>Is the container designed to hold liquids for use other than storage?</p> <p>Is the waste a household waste?</p>	<p>258.28(b)(1)</p> <p>258.28(b)(2)</p> <p>258.28(b)(3)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>New Facility</p>
<p>C.8 Does the discharger record and retain near the facility (or in an alternative location if approved by the RWQCB) an operating record that contains the following information as it becomes available:</p> <ul style="list-style-type: none"> <li>Any location restriction demonstration required under Subpart B of this part?</li> <li><b>Recirculating Units only:</b> Any MSWLF design documentation for placement of leachate or gas condensate in a MSWLF as required by 258.28(a)(2)? [non-recirc Unit = "N/A"]</li> <li>Any demonstration, certification, finding, monitoring, testing, or analytical data required by Subpart E?</li> <li>Closure and post-closure care plans and any monitoring, testing, or analytical data as required by 258.60 and 258.61?</li> <li>Any cost estimates and financial assurance documentation required by Subpart G?</li> <li><b>Qualifying VSRLF Units only:</b> any information demonstrating compliance with small community exemption as required by 258.1(f)(2)? [non-qualifying Unit = "N/A"]</li> </ul>	<p>258.29(a)</p> <p>258.29(a)(1)</p> <p>258.29(a)(4)</p> <p>258.29(a)(5)</p> <p>258.29(a)(6)</p> <p>258.29(a)(7)</p> <p>258.29(a)(8)</p>		<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>New Facility</p>

**Subpart D--Design Criteria**

*Note: The following section applies only to those portions of the landfill that have received waste after the unit's applicable federal deadline. However, two categories of MSWLFs are exempt from this Subpart:*

- 1) *Very small rural landfills (VSRFLs) that qualify under §258.1(f), or*
- 2) *MSWLFs sited in an area where 1) there is no aquifer underlying the facility and it is not reasonably foreseeable that fluids migrating from the MSWLF could reach any aquifer or surface water body in the ground water basin, or 2) the ground water in the basin underlying the facility has no beneficial uses and a hydrogeologic investigation shows that it is not reasonably foreseeable that fluid migrating from the MSWLF could reach any aquifer or surface water body having beneficial uses. [See State Board Resolution No. 93-62, Section I.C. (Applicability in the absence of useable waters).]*

QUESTION	CITATION	DECISION POINT	COMPLIANCE	JTD PAGES
<p><b>D.1 Skips</b> Has the RWQCB determined that the Unit qualifies for the exemption #1, above (qualifying VSRFL, including no evidence of a release)? [If "Yes," skip to F.1]</p> <p>Has the RWQCB determined that the Unit qualifies for exemption #2, above (no affectable ground water)? [If "Yes," skip to section E.1]</p> <p>Does the Unit have the federal prescriptive composite liner system (including LCS) described in 258.40(a)(2)? [If "yes," then skip to E.1]</p> <p>Is this only an "existing MSWLF unit" (no waste beyond the area covered by waste on the Unit's federal deadline)? [If "Yes," skip to E.1.]</p>	<p>258.1(f)</p> <p>258.50(b)</p> <p>258.40(a)(2)</p> <p>258.40</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>		<p>Section C.2.4</p>
<p><b>D.2</b> Does the new MSWLF or lateral expansion have a composite liner <b>other than</b> the prescriptive composite liner that has been approved by the RWQCB and that ensures that all concentration values listed in Table 1 of §258.40 will not be exceeded at the relevant point of compliance? (If "Yes," answer the next question.)</p> <p>Has the RWQCB considered the following factors when approving the alternative design:</p> <ul style="list-style-type: none"> <li>• Hydrogeologic characteristics of the facility and surrounding land?</li> <li>• Climatic factors of the area?</li> <li>• Volume and physical characteristics of the leachate?</li> </ul>	<p>258.40(a)(1)</p> <p>258.40(c)</p> <p>258.40(c)(1)</p> <p>258.40(c)(2)</p> <p>258.40(c)(3)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>		<p>Section C.2.4 and Appendix H</p>

<p>D.3 Has the RWQCB considered the following factors when approving the alternative design:</p> <ul style="list-style-type: none"> <li>Hydrogeologic characteristics of the facility and surrounding land?</li> <li>Climatic factors of the area?</li> <li>Volume and physical characteristics of the leachate?</li> </ul>	<p>258.40(c) 258.40(c)(1) 258.40(c)(2) 258.40(c)(3)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	
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**Subpart E-Groundwater Monitoring and Corrective Action**

*Describes requirements for Groundwater Monitoring and Corrective Action including: To Whom the Requirement Applies, When Groundwater Monitoring Must be in Place, What Criteria the Groundwater Monitoring System Must Meet, Procedures for Sampling and Analysis, and Steps required in Groundwater Monitoring and Corrective Action Programs (including detection monitoring, assessment monitoring, and corrective action requirements). Qualifying VSRLFs (i.e., meeting S258.1(f), including the no-evidence of a release) are exempt from this Subpart [go to F].*

QUESTION	CITATION	DECISION POINT	COMPLIANCE	JTD PAGES
E.1 Is ground water monitoring being conducted while the MSWLF is active and during the post-closure care period?	258.50(e)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Section B.5.1.3, Section E.2.5, Appendix G, pgs. 19 thru 26.
E.2 Does the ground water monitoring system consist of a sufficient number of wells, installed at appropriate locations and depths to yield ground water samples from the uppermost aquifer that: <ul style="list-style-type: none"> <li>• Represent the quality of background ground water that has not been affected by leakage from the unit?</li> <li>• Represent the quality of ground water passing the relevant point of compliance?</li> </ul>	258.51(a)(1) 258.51(a)(2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Section B.5.1.3, Appendix G, pgs. 19 thru 26; Figure 5.	
E.3 <i>[Skip question if facility has only one MSWLF]</i> Has the RWQCB approved a multi-unit ground water monitoring system instead of separate systems for each MSWLF unit? <i>(If "Yes," answer the rest of the questions in this box.)</i> <ul style="list-style-type: none"> <li>• Does the multi-unit system meet the requirements of S258.51(a), and is it as protective of water quality as individual monitoring systems for each MSWLF unit, based on the following factors: <ul style="list-style-type: none"> <li>• Number, spacing, and orientation of the MSWLF units?</li> <li>• Hydrogeologic setting?</li> <li>• Site history?</li> <li>• Engineering design of the MSWLF units?</li> <li>• Type of waste accepted at the MSWLF unit?</li> </ul> </li> </ul>	258.51(b)  258.51(b)(1) 258.51(b)(2) 258.51(b)(3) 258.51(b)(4) 258.51(b)(5)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N  <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N		
E.4 Are the monitoring wells cased in a manner that maintains the integrity of the monitoring well bore hole?	258.51(c)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Appendix G, Table 2;Att. 2.
E.5 Has the discharger notified the RWQCB that records of the design, installation, development, and decommissioning of any monitoring wells, piezometers and other measurement, sampling, and analytical devices have been placed in the operating record?	258.51(c)(1)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Appendix G, Table 2; Attachment 2.
E.6 Is the monitoring system operated and maintained so that it performs to the design specifications throughout the life of the monitoring program?	258.51(c)(2)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Appendix G, pg. 19 thru 22.

<p>E.7 Are the number, spacing, and depths of the monitoring system:  <ul style="list-style-type: none"> <li>Based upon site-specific information?</li> <li>Certified by a qualified ground water scientist or approved by the RWQCB?</li> </ul> </p>	<p>258.51(d)(1) 258.51(d)(2)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pg 13 thru 15. App. C-1, Plates 1 through 3</p>
<p>E.8 Has the discharger notified the RWQCB that the sampling and analysis program documentation been placed in the operating record?</p>	<p>258.53(a)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, Attachment 1</p>
<p>E.9 Does the sampling and analyses program documentation include procedures and techniques for:  <ul style="list-style-type: none"> <li>Sample collection?</li> <li>Sample preservation and shipment?</li> <li>Analytical procedures?</li> <li>Chain of custody control?</li> <li>Quality assurance and quality control?</li> </ul> </p>	<p>258.53(a)(1) 258.53(a)(2) 258.53(a)(3) 258.53(a)(4) 258.53(a)(5)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, Attachment 1</p>
<p>E.10 Does the ground water monitoring program include sampling and analytical methods that are appropriate for ground water sampling and that accurately measure hazardous constituents and other monitoring parameters?</p>	<p>258.53(b)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pgs 23 thru 24; Attachment 1</p>
<p>E.11 Are the sampling procedures and frequency protective of water quality?</p>	<p>258.53(c)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pg 22 to 23; pg. 26; Att. 1</p>
<p>E.12 Each time ground water is sampled,  <ul style="list-style-type: none"> <li>Are ground water elevations measured immediately prior to purging?</li> <li>Does the discharger determine the rate and direction of ground water flow?</li> <li>Are wells which monitor the same unit measured within a short period of time?</li> </ul> </p>	<p>258.53(d)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, Attachment 1</p>
<p>E.13 Has the discharger established background water quality in a hydraulically upgradient or background well(s) for each of the monitoring parameters or constituents required in the particular ground water monitoring program that applies to the MSWLF as determined under §258.54(a) or §258.55(a)?</p>	<p>258.53(e)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Section D.5.3, Appendix C, pg 2-13 thru 2-16, Tables 2-3 thru 2-19; App. G, pg. 15 thru 19</p>
<p>E.14 Has a sufficient number of samples been collected to establish ground water quality data that is consistent with the appropriate statistical procedures determined pursuant to §258.53(g)?</p>	<p>258.53(f)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pgs 18 thru 19.</p>

<p>E.15 Has the discharger specified in the operating record one of the following statistical methods, approved by the RWQCB, to be used in evaluating ground water monitoring data for each constituent of concern?</p> <ul style="list-style-type: none"> <li>• A parametric analysis of variance (ANOVA) followed by multiple comparison procedures to identify statistically significant evidence of pollution.</li> <li>• An analysis of variance (ANOVA) based on ranks followed by multiple comparisons procedure to identify statistically significant evidence of pollution.</li> <li>• A tolerance or prediction interval.</li> <li>• A control chart approach.</li> <li>• Another statistical procedure that meets the performance standards of §258.53(h).</li> </ul>	<p>258.53(g) 258.53(g)(1) 258.53(g)(2) 258.53(g)(3) 258.53(g)(4) 258.53(g)(5)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pg. 25.</p>
<p>E.16 Does the ground water detection monitoring program include, at a minimum, the constituents listed in Appendix I of 40CFR258? <i>(If "Yes," answer next two questions.)</i></p> <ul style="list-style-type: none"> <li>• If the discharger is NOT monitoring for all the Appendix I volatile organic compounds (VOCs), is the discharger monitoring all VOCs except those which the RWQCB has excused under §258.54(a)(1)?</li> <li>• <b>Two Part: 1)</b> Is the discharger monitoring for all inorganic constituents established [via 258.28(a)(2)] as surrogates for the metals of Appendix I; and</li> <li>• <b>2)</b> do the surrogates provide a reliable indication of inorganic releases from the unit?</li> </ul>	<p>258.54(a) 258.54(a)(1) 258.54(a)(2)</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> N/A <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> N/A <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pg. 23 thru 25.</p>
<p>E.17 Does the discharger:</p> <ul style="list-style-type: none"> <li>• monitor for the Appendix I constituents (or alternative list) at least semiannually during the active life and post-closure period of the facility? <i>[Less frequent Appendix I monitoring is not allowed in California;]</i> and</li> <li>• use approved data analysis methods (i.e., either the statistical and nonstatistical methods listed in the 1993 Super Order or other RWQCB-approved methods) to test for evidence of a release?</li> </ul>	<p>258.54(b) 258.53(i)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Appendix G, pg. 22 thru 23 Appendix G, pg. 25</p>

<p>E.18 Has the discharger determined that there is a statistically significant increase over background for any constituent listed in Appendix I or the alternative list? (If "No," skip to Part F. If "Yes," then discharger <b>MUST</b> implement an Assessment Monitoring Program (AMP) AND (if exceeded constituent is on the Appendix II list) start Assessment of Corrective Measures and (in due time) Corrective Action Program (CAP). Remember: AMP continues along with the CAPI!)</p>	<p>258.54(c)</p>	<p><input type="checkbox"/> Y <input checked="" type="checkbox"/> N</p>		<p>N/A New Facility</p>
<p>E.19 Did the discharger:</p> <ul style="list-style-type: none"> <li>Place a notice in the operating record indicating which constituents have shown a statistically significant change from background levels and notify the RWQCB within 14 days?</li> <li>Establish an assessment monitoring program meeting the requirements of §258.55 within 90 days?</li> <li>Demonstrate that a source other than a MSWLF caused the pollution or that the statistically significant increase resulted from error in sampling, analysis, statistical evaluation, or natural variation in ground water quality? (If "Yes," discharger may continue detection monitoring. Skip to Part F.)</li> </ul>	<p>258.54(c)(1) 258.54(c)(2) 258.54(c)(3)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.20 Has the discharger, within 90 days of triggering an assessment monitoring program, sampled and analyzed ground water for all applicable Appendix II constituents at all Point of Compliance wells? (Answer "N/A" only if 90 days have not yet passed. If "Yes," answer the next question.) If the discharger is not monitoring all wells for Appendix II constituents, has the RWQCB specified an appropriate subset of wells for Appendix II analysis? (Answer "N/A" if monitoring all wells; otherwise either "Yes" or "No.") If the discharger is not monitoring all Appendix II constituents (at the frequency established by the RWQCB), are the non-monitored constituents only those which the RWQCB has determined are not reasonably expected to be in/derived from the Unit? (Answer "N/A" if monitoring all wells; otherwise either "Yes" or "No.")</p>	<p>258.55(b) 258.55(b) #1 258.55(b) #2</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>

<p>E.21 <b>Appendix II Frequency:</b> Is the discharger monitoring for the approved list of Appendix II constituents at least annually? <i>(If "Yes," answer the rest of the questions in this box.)</i></p> <p>Has the RWQCB specified an alternative Appendix II sampling and analysis frequency for assessment monitoring, after considering all the following factors:</p> <ul style="list-style-type: none"> <li>• Lithology of the aquifer and unsaturated zone? [S258.55(c)(1)]</li> <li>• Hydraulic conductivity? [S258.55(c)(2)]</li> <li>• Ground water flow rates? [S258.55(c)(3)]</li> <li>• Minimum distance between the upgradient edge of the MSWLF and the downgradient well screen? [S258.55(c)(4)]</li> <li>• Resource value of the aquifer? [S258.55(c)(5)]</li> </ul>	<p>258.55(c)</p> <p>258.55(c)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.22 Has the discharger, after obtaining the results from the initial or subsequent Appendix II sampling events:</p> <ul style="list-style-type: none"> <li>• Placed a notice in the operating record identifying the Appendix II constituents that have been detected, and notified the RWQCB? <i>[If none detected, answer "N/A" and skip to E.23.]</i></li> <li>• Within 90 days, and on at least a semiannual basis thereafter, resampled all Point of Compliance wells for all Appendix I constituents AND those Appendix II constituents that were detected in response to S258.55(b), carried out approved data analysis on them, and recorded their concentrations, any any WQPS exceedances, in the operating record?</li> <li>• Established background concentrations for all detected Appendix II constituents? <i>[Note: Given the approach in the Super Order, the discharger should ALREADY have background values for these constituents and so should have a background-based GWPS for each of them.]</i></li> <li>• Established ground water protection standards (GWPSs) for each detected Appendix II constituent. <i>[See S258.55(h) or (i)]?</i></li> </ul>	<p>258.55(d)(1)</p> <p>258.55(d)(2) &amp; 258.55(i)</p> <p>258.55(d)(3)</p> <p>258.55(d)(4)</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.23 Have all the concentrations of all <b>Appendix II</b> constituents that have been detected:</p> <ul style="list-style-type: none"> <li>• Been shown to be below background levels for two consecutive sampling events? <i>(If "Yes," skip to part F. The discharger must notify the RWQCB and may then return to federal detection monitoring.)</i></li> <li>• Been shown to be above background levels, but below ground water protection standards? <i>(TRICK QUESTION! In California, the Standard is always background until CAP allows CLGBs, so answer is always "no.")</i></li> </ul>	<p>258.55(e)</p> <p>258.55(f)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>

<p>E.24 Have one or more <b>Appendix II constituents</b> (not nontoxic surrogates) been detected at significant levels above their respective GWPS, using an approved statistical or nonstatistical test? <i>[If "Yes," answer the rest of the questions in this box]</i></p> <ul style="list-style-type: none"> <li>Has the discharger, within 14 days of this finding, placed a notice in the operating record identifying the exceeding Appendix II constituents and notified the RWQCB?</li> <li>Begun characterization of the nature and extent of the release by installing additional monitoring wells as necessary?</li> <li>Installed at least one additional well at the facility boundary in the direction of contaminant migration and sampled this well in accordance with §258.55(d)(2)? <i>[Answer "N/A" only if plume direction is not yet determined.]</i></li> <li>Notified all persons who own the land or reside on the land that directly overlies any part of the contaminant plume if contaminants have migrated off-site? <i>[Answer "N/A" only if plume is not known to be beyond the facility boundary.]</i></li> <li>Within 90 days, initiated an assessment of corrective action measures <i>[See §255.56]?</i></li> <li>Demonstrated to the RWQCB's satisfaction that a source other than a MSWLF caused the pollution, or that the statistically significant increase resulted from error in sampling, statistical evaluation, or natural variation in ground water quality? <i>[If a successful demonstration is made, the discharger must continue in assessment monitoring unless the Appendix II constituents are at or below background levels (return to DMP).]</i></li> </ul>	<p>258.55(g)  258.55(g)(1)(i)  258.55(g)(1)(ii)  258.55(g)(1)(iii)  258.55(g)(1)(iv)  258.55(g)(2)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.25 Is the ground water protection standard (GWPS) for all detected Appendix II constituents one of the following (check all that apply, below; answer "No" only if one or more constituents lacks a GWPS or if there is a GWPS that is not one of the following):</p> <ul style="list-style-type: none"> <li>For constituents for which a maximum contaminant level (MCL) has been promulgated under the Safe Drinking Water Act, no higher than the MCL for that constituent?</li> <li>For constituents for which MCLs have not been promulgated, the background concentration for the constituent?</li> <li>For constituents for which the background level is higher than the MCL (or health based levels identified under §258.55(i)(1) by the RWQCB), the background concentration?</li> <li>A concentration higher than the background level but, for a constituent with an MCL, not higher than the MCL <i>[§258.55(j)]?</i></li> </ul>	<p>258.55(h)  258.55(h)(1)  258.55(h)(2)  258.55(h)(3)  258.55(i)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N   <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>

<p>E.26 [Note: If 1<sup>st</sup> answer to E.24 = "No," then skip to F.1; otherwise answer E.26 et seq.] Has the discharger, within 90 days of measurably exceeding (statistical or nonstatistical test) the WQPS for an <b>Appendix II constituent</b>, initiated an assessment of corrective measures, and completed the assessment within a reasonable amount of time? [Answer "N/A" only if the 90 days have not yet passed.]</p>	258.56(a)		<input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N	N/A New Facility
<p>E.27 Is the discharger continuing assessment monitoring?</p>	258.56(b)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
<p>E.28 Does the assessment of corrective measures address the following:</p> <ul style="list-style-type: none"> <li>• The performance, reliability, ease of implementation, and potential impacts of appropriate potential remedies, including safety impacts, cross-media impacts, and control of exposure to any residual pollution?</li> <li>• The time required to begin and complete the remedy?</li> <li>• The costs of remedy implementation?</li> <li>• State or local permit requirements or other environmental or public health requirements that may substantially affect implementation of the remedy?</li> </ul>	258.56(c)(1)		<input type="checkbox"/> Y <input type="checkbox"/> N	New Facility
	258.56(c)(2)		<input type="checkbox"/> Y <input type="checkbox"/> N	
	258.56(c)(3)		<input type="checkbox"/> Y <input type="checkbox"/> N	
	258.56(c)(4)		<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>E.29 Has the discharger discussed the corrective measures assessment, prior to the selection of a remedy, in a public meeting?</p>	258.56(d)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
<p>E.30 Within 14 days of selecting a remedy, has the discharger notified the RWQCB that a report describing the remedy has been placed in the operating record?</p>	258.57(a)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
<p>E.31 Is the remedy likely to meet the following standards, <b>after sufficient application</b>?</p>				N/A New Facility
<ul style="list-style-type: none"> <li>• Protect human health and environment?</li> </ul>	258.57(b)(1)		<input type="checkbox"/> Y <input type="checkbox"/> N	
<ul style="list-style-type: none"> <li>• Attain the ground water protection standard [of §258.57(h or i)]?</li> </ul>	258.57(b)(2)		<input type="checkbox"/> Y <input type="checkbox"/> N	
<ul style="list-style-type: none"> <li>• Control the source(s) of releases so as to reduce or eliminate further releases of Appendix II constituents?</li> </ul>	258.57(b)(3)		<input type="checkbox"/> Y <input type="checkbox"/> N	
<ul style="list-style-type: none"> <li>• Comply with standards for management of wastes as specified in §258.58(d)?</li> </ul>	258.57(b)(4)		<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>E.32 In selecting a remedy, did the discharger consider the evaluation factors contained in §258.57(c)</p>	258.57(c)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
<p>E.33 Has the discharger proposed a schedule, approved by the RWQCB, for initiating and completing the remedial activities as set forth in §258.57(d)(1-8) and that initiates remedial activities within a reasonable period of time?</p>	258.57(d)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility

<p>E.34 Has the RWQCB determined that remediation is not necessary because the discharger has demonstrated that:</p> <ul style="list-style-type: none"> <li>The ground water is additionally contaminated by substances that have originated from a source other than the MSWLF and that cleanup of the MSWLF release would provide no significant reduction in risk to actual or potential receptors? Or,</li> <li>The constituent(s) is present in ground water that, (i) is not currently or reasonably expected to be a source of drinking water; and (ii) is not hydraulically connected with waters to which hazardous constituents are migrating or likely to migrate in a concentration(s) that would exceed the ground water protection standard? Or,</li> <li>Remediation of the release is technically impractical? Or,</li> <li>Remediation results in unacceptable cross-media impacts?</li> </ul> <p><i>[Achtung! If discharger has finished up the ACM but has not yet started the CAP, and is not delaying the start, then answer "yes" at right and skip to Part F. Otherwise, continue with E.35 et seq.]</i></p>	<p>258.57(e)</p> <p>258.57(e)(1)</p> <p>258.57(e)(2)</p> <p>258.57(e)(3)</p> <p>258.57(e)(4)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.35 Has the discharger established and implemented a corrective action program that:</p> <ul style="list-style-type: none"> <li>Meets the requirements of an assessment monitoring program (AMP) under §258.55? <i>[Note: The AMP continues throughout the CAP.]</i></li> <li>Indicates the effectiveness of the corrective action remedy over time?</li> <li>According to the timeline [§258.57(d)], and based on observations to date, will bring (or has brought) the MSWLF into compliance with ground water protection standards? <i>[Answer "No" if CAP measures are not working well &amp; need revision.]</i></li> </ul>	<p>258.58(a)(1)(i)</p> <p>258.58(a)(1)(ii)</p> <p>258.58(a)(1)(iii)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.36 Is the discharger actually implementing the corrective action remedy selected under §258.57?</p>	<p>258.58(a)(2)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.37 Has the discharger taken any interim measures necessary to ensure protection of human health and environment and considered the factors described in §258.58(a)(3)(i-vii)?</p>	<p>258.58(a)(3)</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.38 Has the discharger, based on information developed after implementation of the remedy has begun or other information, determined that compliance with §258.57(b) is not being achieved through the remedy selected and implemented other method or techniques to achieve compliance?</p>	<p>258.58(b)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>

<p>E.39 Has the discharger determined that compliance with §258.57(b) cannot be practically achieved with any currently available methods? <i>(If "Yes," answer the rest of the questions in this box.)</i></p> <p>Has the discharger:</p> <ul style="list-style-type: none"> <li>• Obtained certification of a qualified ground water scientist or approval by the RWQCB that §258.57(b) compliance cannot be practically achieved?</li> <li>• Implemented alternate measures to control exposure to residual pollution?</li> <li>• Implemented alternate measures for control of the pollution source?</li> <li>• Notified the RWQCB that a report justifying the alternative measures has been placed in the operating record prior to implementing the alternative measures?</li> </ul>	<p>258.58(c)</p> <p>258.58(c)(1)</p> <p>258.58(c)(2)</p> <p>258.58(c)(3)</p> <p>258.58(c)(4)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.40 Are all solid wastes that are managed pursuant to a corrective action remedy or interim measure managed in a manner that:</p> <ul style="list-style-type: none"> <li>• Is protective of water quality?</li> <li>• Complies with applicable RCRA requirements?</li> </ul>	<p>258.58(d)</p> <p>258.58(d)(1)</p> <p>258.58(d)(2)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.41 Is the corrective action remedy considered complete? <i>(If "Yes," answer the next three questions.)</i></p> <ul style="list-style-type: none"> <li>• Has the discharger complied with the ground water protection standards established under §258.55(h) or (i) at all points within the portion of the plume of pollution that lies downgradient from the relevant point of compliance?</li> <li>• Has the discharger complied with the ground water protection standards by demonstrating through statistical testing that concentrations of Appendix II constituents have not exceeded the ground water protection standard for a period of three years? <i>[Note: The RWQCB may specify an alternative length of time; see §258.58(e)(2)(iv).]</i></li> <li>• Have all actions required to complete the remedy been completed? <i>[Answer "No" if there are any ongoing active measures needed to keep the Unit from exceeding.]</i></li> </ul>	<p>258.58(e)</p> <p>258.58(e)(1)</p> <p>258.58(e)(2)</p> <p>258.58(e)(3)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.42 Upon completion of the remedy, has the discharger, within 14 days, notified the RWQCB that a certification that the remedy has been completed in compliance with the requirements of §258.58(e) has been placed in the operating record?</p>	<p>258.58(f)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>
<p>E.43 Has the discharger been released from the requirements for financial assurance for corrective action under §258.73?</p>	<p>258.58(g)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>N/A New Facility</p>

**Subpart F--Closure and Post-Closure Care**

Describes requirements for **closure of landfill units** in accordance with specified standards and for monitoring and maintenance of units after closure. Required activities include: installation of the final cover, 30-year post-closure care, and preparation of closure and post-closure plans. Note that existing MSWLFs that closed prior to one year following their respective federal deadline need only address question F.1.

QUESTION	CITATION	DECISION POINT	COMPLIANCE?	JTD PAGES
<p>F.1 Is the MSWLF still operating? (If "No," answer the rest of the box's questions.)</p> <p>Is the MSWLF required to close under §258.60(f)? (If "no," skip to F.2.)</p> <p>Has the discharger installed a final cover system comprised of an erosion layer underlain by an infiltration layer as follows:</p> <ul style="list-style-type: none"> <li>• The infiltration layer must be comprised of a minimum of 18 inches of earthen material that has a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present, or a permeability no greater than <math>1 \times 10^{-5}</math> cm/sec, whichever is less, and</li> <li>• The erosion layer must consist of a minimum of 6 inches of earthen material that is capable of sustaining native plant growth.</li> </ul> <p>If "No" to either of the above two questions, answer the next question</p> <p>Has the RWQCB approved an alternative cover that achieves the standards cited in §258.60(a)(1&amp;2)?</p>	<p>258.60(a)</p> <p>258.60(a)(1)</p> <p>258.60(a)(2)</p> <p>258.60(b)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	
<p>F.2 Has the discharger prepared a written closure plan that describes the steps necessary to close all MSWLFs at any point during its active life in accordance with the cover design requirements? (If "Yes," answer the rest of the questions in this box.)</p> <p>Does the closure plan, at a minimum, include the following information:</p> <ul style="list-style-type: none"> <li>• A description of the final cover, and the methods and procedures to be used to install the cover?</li> <li>• An estimate of the largest area of the MSWLF ever requiring a final cover at any time during the active life?</li> <li>• An estimate of the maximum inventory of wastes ever on-site over the active life of the landfill facility?</li> <li>• A schedule for completing all activities necessary to satisfy the closure criteria in §258.60?</li> </ul>	<p>258.60(c)</p> <p>258.60(c)(1)</p> <p>258.60(c)(2)</p> <p>258.60(c)(3)</p> <p>258.60(c)(4)</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Parts E and F</p>

<p>F.3 Has the discharger notified the RWQCB that a closure plan meeting F.2 has been prepared and placed in the operating record no later than the latter of either 10/9/93 or (for Units built after that date) the date of initial receipt of waste? Has Unit begun or completed closure (for Units w/rolling closure, this applies only to the last portion to be closed)? <i>[If "No," skip to F.11]</i></p>	258.60(d)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
<p>F.4 Prior to beginning closure of each MSWLF, has the discharger notified the RWQCB that a Notice of Intent to close the MSWLF has been placed in the operating record?</p>	258.60(e)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>F.5 Has the discharger begun closure activities no later than 30 days after the date on which the MSWLF received the known final receipt of waste? <i>(Answer "No" if closure of full Unit is delayed or if non-full Unit is inactive. If "Yes," skip to F.6.)</i> Does the Unit have any remaining waste capacity? <i>[If "No," skip to F.6.]</i></p>	258.60(f)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>Will closure activities start no later than one year after the most recent receipt of wastes? <i>[If "No," answer the next question.]</i> Has the RWQCB granted an extension beyond the one year deadline because the discharger has demonstrated that the MSWLF has the capacity to receive additional wastes and the discharger has taken all steps necessary to prevent threats to water quality from the unclosed MSWLF unit?</p>	258.60(f)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>F.6 Has the discharger completed closure of the MSWLF within 180 days following the beginning of closure? <i>[If "No," answer the next question.]</i> Has the RWQCB granted an extension beyond the 180 day closure period because the discharger has demonstrated that closure will, of necessity, take longer than 180 days and the discharger has taken all steps necessary to prevent threats to water quality from the unclosed MSWLF unit?</p>	258.60(g)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>F.7 Has the discharger, following closure of each MSWLF unit, notified the RWQCB that a certification, signed by an independent professional engineer, verifying that closure has been completed in accordance with the closure plan, has been placed in the operating record?</p>	258.60(h)	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	

<p>F.8 (If not yet closed, answer "N/A" and skip to F.9) Has the discharger, following closure of all MSWLF units, recorded a notation on the deed to the landfill property and notified the RWQCB of the notation? (If "Yes," answer the next question.)</p> <p>Does the notation on the deed notify any potential purchaser of the property that:</p> <ul style="list-style-type: none"> <li>The land has been used as a landfill facility, and</li> <li>Its use is restricted under §258.61(c)?</li> </ul>	<p>258.60(i)(1) 258.60(j)(2)(i) 258.60(j)(2)(ii)</p>		<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	
<p>F.9 Is the MSWLF closed? (If "Yes," answer the rest of the questions in this box.)</p> <p>Is the discharger conducting post-closure care, including at least the following:</p> <ul style="list-style-type: none"> <li>Maintaining the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the final cover?</li> <li>Maintaining and operating the leachate collection system in accordance with the requirements in §258.40? Note: The RWQCB may allow the discharger to stop managing leachate if the discharger demonstrates that leachate no longer poses a threat to water quality.</li> <li>Monitoring the ground water in accordance with the requirements of subpart E, and maintaining the ground water monitoring system, if applicable?</li> <li>Maintaining and operating the gas monitoring system in accordance with the requirements of §258.23?</li> </ul>	<p>258.61(a) 258.61(a)(1) 258.61(a)(2) 258.61(a)(3) 258.61(a)(4)</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N</p>	
<p>F.10 The post-closure care must be conducted for 30 years. However, the RWQCB may decrease or increase the time period based on the MSWLF unit's threat to water quality. Is the discharger conducting post-closure care for the time period specified in either §258.61(a) or (b)? [N/A is for Units not yet closed.]</p>	<p>258.61(a) or 258.61(b)(1) or 258.61(b)(2)</p>		<p><input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N</p>	
<p>F.11 Has the discharger prepared a written post-closure plan that includes, at a minimum:</p> <ul style="list-style-type: none"> <li>A description of the monitoring and maintenance activities required in §258.61(a) for each MSWLF unit, and the frequency at which these activities will be performed?</li> <li>Name, address, and telephone number of the person or office to contact about the facility during the post-closure period?</li> <li>A description of the planned uses of the property during the post-closure period?</li> </ul>	<p>258.61(c) 258.61(c)(1) 258.61(c)(2) 258.61(c)(3)</p>		<p><input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Part E</p>

F.12	Has the discharger notified the RWQCB that a post-closure plan, meeting F.11, has been prepared and placed in the operating record either prior to October 9, 1993, or by the initial receipt of waste, whichever is later?	258.61(d)		<input type="checkbox"/> Y <input type="checkbox"/> N	N/A New Facility
F.13	Has the post-closure care period for the MSWLF expired? <i>(If "Yes," answer the next question.)</i> Has the discharger notified the RWQCB that a certification, signed by an independent professional engineer or approved by the RWQCB, verifying that post-closure care has been completed in accordance with the post-closure plan, has been placed in the operating record?	258.61(e)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> Y <input type="checkbox"/> N	

**Subpart C--Financial Assurance Criteria**

ALL MSWLF units that did not close prior to one year following their federal deadline MUST have closure and post-closure financial assurance. Any such Unit that has an exceedance of the WQPS for an Appendix II constituent (using statistical or nonstat. method) MUST have corrective action financial assurance. Note that the FEDERAL corrective action financial assurance requirement would NOT apply if the exceedance was only for a non-hazardous constituent (e.g., TDS).

QUESTION	CITATION	DECISION POINT	COMPLIANCE?	JTD PAGES
G.1 Has the discharger prepared a detailed written estimate of the cost of hiring a third party to close the largest area of all the MSWLF units ever requiring a final cover in accordance with the closure plan? Has the discharger established closure financial assurance that will meet the above-described costs using a CIWMB-approved mechanism?	258.71(a)  258.71(b)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Part F
G.2 Has the discharger prepared a detailed written estimate of the cost of hiring a third party to conduct post-closure care for the MSWLF unit for the first 30 years following closure? Has the discharger established post-closure financial assurance that will meet the above-described costs using a CIWMB-approved mechanism?	258.72(a)  258.72(b)		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N  <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Part F
G.3 Is the MSWLF undergoing corrective action? (If "Yes," answer the next questions.) • Has the discharger prepared a detailed written estimate of the cost of hiring a third party to perform the corrective action? [Answer "N/A" only if estimate is in-progress and the discharger is not behind schedule.] • Has the discharger established corrective action financial assurance that will meet the above-described costs using a CIWMB-approved mechanism? [Answer "N/A" only if mechanism is still being established and the discharger is not behind schedule.]	258.73 258.73(a)  258.73(b)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N  <input type="checkbox"/> N/A <input type="checkbox"/> Y <input type="checkbox"/> N	